



CANNON BUILDING
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STATE OF DELAWARE
DEPARTMENT OF STATE

DIVISION OF PROFESSIONAL REGULATION

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PUBLIC MEETING MINUTES:	BOARD OF ARCHITECTS
MEETING DATE AND TIME:	Wednesday, December 7, 2011 at 1:30 p.m.
PLACE:	861 Silver Lake Blvd., Conference Room B, Second floor, Dover, Delaware
MINUTES APPROVED:	January 4, 2012

MEMBERS PRESENT

Kenneth Freemark, RA, Professional Member, President
Kevin Wilson, RA, Professional Member
John Mateyko, RA, Professional Member
Peter H. Jennings, RA, Professional Member
Richard Wertz, RA, Professional Member
Brian Lewis, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL

Andrew Kerber, Deputy Attorney General
Nicole M. Williams, Administrative Specialist II

ABSENT

Joseph Schorah, Public Member, Secretary
Prameela Kaza, Public Member
Elizabeth Happoldt, Public Member

OTHERS PRESENT

Robert Reid, RA
David Thomas

Call to Order

Mr. Freemark called the meeting to order at 1:35 p.m.

Review and Approval of Minutes

The Board reviewed the minutes of the November 2, 2011 meeting. Mr. Lewis made a motion to accept the minutes as submitted, seconded by Mr. Jennings. Motion carried unanimously.

Unfinished Business

Review and Discussion of Final Draft of Proposed Changes to Rules and Regulations

Mr. Wilson stated that he and Mr. Jennings have been working on revision of the rules and the statute. Mr. Wilson will provide an update on the proposed regulation changes, and Mr. Jennings will provide the update on the proposed statute changes.

Mr. Wilson stated that based on the recommendations from the Board at the last meeting they added a section regarding language for lapsed registration, section 3.5. Additionally rules 6.4, 6.5, and 6.5.3 were changed regarding hardship extension requests and the time frame. Rule 6.7 was amended to add language regarding a penalty to not promptly return the license and seal to the Board office.

Mr. Jennings added a new proposed regulation, Rule 6.9 Architect Emeritus, which will allow architects to apply for “emeritus” status which is an inactive status. Mr. Wertz inquired about the length of time that a Delaware architect must have been registered to apply for “emeritus” status because the proposed regulation states fifteen years. Mr. Jennings stated that this specified amount of time can be changed. The Board agreed to make the rule change to ten years. The Board further discussed this proposed rule. Mr. Wertz inquired about the establishment of the “emeritus” status fee in the new proposed rule. Mr. Jennings advised that the fees are established by the Division and are never dictated in the regulations. Ms. Williams further clarified that the fees are posted on the Division’s website. There was no further discussion on the proposed changes.

Mr. Freemark requested the Board’s approval for noticing the publication of the rules and regulations hearing. Mr. Jennings made a motion to approve the revisions to the proposed regulation changes and start the administrative procedures to notice and published the proposed regulation changes, seconded by Mr. Mateyko. Motion unanimously carried. Mr. Kerber will go forth with publishing the proposed regulations in with the Registrar.

Status of Complaints

Mr. Freemark asked the board to review the status of the complaint list provided and determine a date to hear cases 07-03-10 and 07-05-10.

07-03-10 – Hearing Scheduled for January 4, 2012.

07-05-10 – Hearing Scheduled for January 4, 2012.

07-11-10 – Dismissed by the Attorney General’s office.

07-04-10 – Disciplinary Hearing to be heard by the Division’s Hearing Officer

07-01-10 – Disciplinary Hearing to be heard by the Division’s Hearing Officer

Mr. Wilson inquired about a dismissed case. Ms. Williams explained about a follow up letter that she and Ms. Reardon will be developing to be provided to the board. There was no further discussion.

New Business

Review of Certificate of Authorization Applications

Mr. Jennings made a motion to ratify the listing of certificate of authorizations, seconded by Mr. Wilson. Motion carried unanimously.

Review of Applications to sit for the ARE exam

Anthony Combs-BA from Drexel University – Mr. Jennings made a motion to approve Mr. Combs to re sit for the failed portions of the ARE exam as his 5-year rolling clock has expired, seconded by Mr. Lewis. Motion carried unanimously.

Oscar Enderica-BA from Catholic University of Santiago de Guayaquil – The Board reviewed the exam application for Mr. Enderica. Mr. Jennings inquired if the degree Mr. Enderica received meets NCARB's Intern Development Program standards. Ms. Williams advised that his degree information is kept electronically in his IDP file in a secure location on NCARB's Board member site. The Board tabled the application until the January meeting for further review of his education.

Review of Reciprocity Applications – NCARB Certificate – Ratify Listing

David Miller
Herbert Heiserman
Richard Roberts
Thomas Mesuk
Michael Cipriani
Nilo Regojo
Joseph Lombardi
Dennis Sowers
Stephen Kennedy
Stephen Wright
Leonardo Schubert
Mark Ford
Dennis Williams
Janette Blackburn
Carole Wedge
Brett Miller

Mr. Jennings made a motion, seconded by Mr. Lewis to ratify the above listing of approved NCARB certified architects. Motion carried unanimously.

Review of 2011 Non-Compliant Audits

Anthony Rissi – Short 10.5 HSW credits
Robert Reid – Short 21 HSW credits
Robert Greenberg – Short 8.5 HSW credits
Jeff Goldstein – Short 2.5 HSW credits
Michael Hauptman – Short 8 HSW credits
Michael Ryan – Short 10 HSW credits
Ralph Bennett – Short 6 HSW credits and No Seal
Stephen McLaughlin – Short 3.5 HSW credits
James Necker – Short 8 HSW credits
Frank Gant – Short 2 HSW credits
Charles Maroney – Short 3 HSW credits
Thomas Ercolano – Short 11 HSW credits
Ernest Olds – Short 10 HSW credits
Jay Davies – Short 17 HSW credits – **Now has complied with the audit.
Steven Becica – Short 2.5 HSW credits

Ms. Williams advised the board of the above audits and how the board proceeded with those matters last audit cycle. Mr. Kerber further clarified the language in the letter that was sent out to the licensees last year that did not comply or respond to the audit.

Ms. Williams advised that Mr. Robert Reid attended the meeting to plead his case before the board prior to the December 10th deadline to comply with the audit. Mr. Reid addressed the Board as he requested to have the Board lessen the penalty for non-compliance to the audit since he has made up the deficiency in the HSW credits. The Board further discussed. Mr. Freemark made a motion to

accept Mr. Reid's additional CE's to comply with the audit and propose a lesser civil penalty of \$1000 to be paid to the Division in lieu of a Rule to Show Cause hearing, seconded by Mr. Wilson. Motion carried unanimously. Ms. Williams will send a letter to Mr. Reid with the Board's decision.

Mr. Jennings stated that he recommends that the Board go forth with the same letter as they used last audit cycle and wait until after the January meeting to determine when to send the waiver of hearing letters. The Board concurred.

Other Business Before the Board (for discussion only)

There was no other business before the Board.

Public Comment

Mr. David Thomas addressed the Board and advised that he had requested a hearing for case 07-07-10 for investigation be held today. Since that could not take place, Mr. Thomas is requesting that this hearing be held at the January meeting. Mr. Jennings advised that the Board cannot hear a case until the AG's office submits a formal complaint to set a hearing date. Mr. Thomas advised that the case is now ready to be heard before the Board. Mr. Freemark stated that the Board will hear the case at the January meeting if a formal complaint is received from the AG's office. Mr. Thomas thanked the Board for allowing him to address his concerns.

Mr. Wilson inquired about having three hearings on the January agenda. Ms. Williams advised that the Board in the past has changed their meeting time. Mr. Freemark recommended changing the meeting time to 1 pm for the January meeting. Ms. Williams will email the members that were absent to ensure they can attend at 1 p.m. for the January meeting.

Next Scheduled Meeting

The next meeting will be held on January 4, 2012 at 1:30 p.m. in Conference Room B, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

Adjournment

With no further business before the board, Ms. Wilson made a motion to adjourn the meeting, seconded by Mr. Mateyko. The motion carried unanimously. The meeting adjourned at 2:43 p.m.

Respectfully submitted,



Nicole M. Williams
Administrative Specialist II